

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29697 of 2014

Arising Out of PS.Case No. -182 Year- 2013 Thana -SARAIYA District- MUZAFFARPUR

1. Ram Prabesh Singh Son of Saryug Singh Resident of Village - Ram
Krishna Debeyahi, Police Station - Saraiya, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Anand

For the Opposite Party/s : Mr. Ramchandra Sahni(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 14-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Saraiya P.S. Case No. 182 of 2013 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other FIR named accused
persons surrounded the brother of the informant, co-accused Saroj
Singh put Gamcha around his neck and pulled him resulting he fell
down from the motorcycle and then co-accused Ram Naresh
Singh inflicted knife blow on him resulting he became senseless
and during treatment he succumbed to the injuries.

Submission is that the petitioner was only sitting
there, no overt act is attributed against him and further the

prosecution story appears not probable and reliable and the informant has become eye witness, though he is a chance witness and as such he deserves sympathetic consideration to which the learned APP opposes.

Considering the fact that the petitioner and others surrounded the deceased Mahesh Singh, pulled him down and killed him, this Court is not persuaded to grant pre-arrest bail to the petitioner above named, accordingly, his such prayer stands rejected. .

(Jitendra Mohan Sharma, J)

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